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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GEORGE LOUIS PEREZ, JR., JANICE L.  
PELLIZAR

Plaintiffs,

vs.

VESSEL ASSIST, PHIL DELANO, et al.,  
Defendants.

Case No.: C 06-02585 EDL

PLAINTIFFS' REQUEST FOR CONTINUANCE  
OF INITIAL CASE MANAGEMENT  
CONFERENCE TO **OCTOBER 31, 2006**, OR  
THEREAFTER, IN LIEU OF JOINT CASE  
MANAGEMENT STATEMENT; NATHAN  
PACO'S DECLARATION IN SUPPORT OF  
REQUEST AND PROPOSED ORDER

Date: August 29, 2006

Time: 10:00 a.m.

Courtroom: E, 15th Floor

Judge: Honorable Elizabeth D. Laporte

I NATHAN PACO declare as follows:

1. I am the attorney for the plaintiffs in this action and I am duly licensed to practice in all of the courts in the northern district of the State of California;

2. The following statements are made upon my personal knowledge except as to those indicated made upon information and belief and if called to testify can competently testify to those matters.

3. The plaintiffs had difficulty serving the defendants because some of them are located on an island and some of the others are located in other states.

4. Finally, we were able to get the insurance company that represents all of the defendants to accept service for all of the defendants (attached hereto as Exhibit "A" is a true and correct copy of the Defendants' Acknowledgment of Receipt).

1 a. According to the Notice and Acknowledgment of Receipt, the defendants have  
2 until September 26, 2006 to file their responsive pleading.

3 b. Therefore, the plaintiffs request that the initial case management conference  
4 be continued to October 31, 2006, or a date thereafter.

5 I declare under penalty of perjury that the foregoing statements are true and correct.

6 Dated: August 25, 2006

7 /s/  
Nathan Paco, attorney for plaintiffs

8 **ORDER**

9 IT IS HEREBY ORDERED that the first case management conference scheduled for  
10 August 29, 2006 is continued to October 31, 2006 before Magistrate Judge Laporte in  
11 Courtroom E, 15th floor, United States Courthouse, 450 Golden Gate Ave., San Francisco,  
12 California. A joint case management statement shall be filed no later than October 24, 2006.  
13 No further continuances will be granted absent a showing of good cause.

14 Dated: August 28, 2006

15 ELIZABETH D. LAPORTE  
United States Judge



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		POS-015
Nathan Paco (151490) Law Offices of Nathan Paco 1419 Burlingame Ave., 2nd Floor Burlingame, CA 94010 TELEPHONE NO. 650.343.1371 FAX NO. (Optional) 650.343.7979 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY
Plaintiffs STREET ADDRESS: United States District Court MAILING ADDRESS: 450 Golden Gate Ave., 16th Floor CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME: Northern District of California		
PLAINTIFF/PETITIONER: GEORGE LOUIS PEREZ, JR., JANICE L. PELLIZAR DEFENDANT/RESPONDENT: VESSEL ASSIST, PHIL DELANOE, GARY BURKS, BOAT U.S. TOWING SERVICES		
NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: C 06 2585

TO (insert name of party being served): PHIL DELANOE, GARY BURKS, BOAT U.S. TOWING SERVICES, VESSEL ASSIST.

#### NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: 7/12/06

NATHAN PACO, ATTORNEY AT LAW

(TYPE OR PRINT NAME)

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

#### ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of (to be completed by sender before mailing):

- ☒ A copy of the summons and of the complaint
- ☒ Other (specify):

- NOTICE & ACKNOWLEDGEMENT OF RECEIPT (2)
- ENVELOPES-2

- NOTICE OF CASE MANAGEMENT HEARING
- ADR PACKET

(To be completed by recipient):

Date this form is signed: 8/16/06

Winsome K Green  
St. Paul Travelers

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,  
ON WHOSE BEHALF THIS FORM IS SIGNED)

(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF  
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

Form Adopted for Mandatory Use  
Judicial Council of California  
POS-015 (Rev. January 1, 2005)

#### NOTICE AND ACKNOWLEDGMENT OF RECEIPT — CIVIL

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Code of Civil Procedure  
§§ 415.30, 417.10  
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EXHIBIT "A"

